

WEST LAFAYETTE POLICE MERIT COMMISSION MINUTES  
January 10, 2011

The West Lafayette Police Merit Commission met in regular session in the Lower Level Conference Room of City Hall on January 10, 2011, at 7:00 p.m.

Police Merit Commission President Leverenz called the meeting to order and presided.

PRESENT: Commissioners Corrigan, Kirkpatrick, Leverenz, Troyer.

ALSO PRESENT: Commission Attorney Brooks, Police Chief Dombkowski, Sergeant Watson

APPROVAL OF MINUTES

Commissioner Corrigan moved to approve the minutes of December 13, 2010, meeting. The motion was seconded by Commissioner Troyer. The minutes were approved by unanimous voice vote.

ELECTION OF OFFICERS

President

Commissioner Corrigan nominated Commissioner Leverenz to serve as President. Commissioner Troyer seconded the motion. There were no other nominations. The vote for Commissioner Leverenz to serve as Commission President was unanimous.

Vice President

Commissioner Troyer nominated Commissioner Corrigan to serve as Vice President. Commissioner Kirkpatrick seconded the motion. There were no other nominations. The vote for Commissioner Corrigan to serve as Commission Vice President was unanimous.

Secretary

Commissioner Kirkpatrick nominated Commissioner Troyer to serve as Secretary. Commissioner Corrigan seconded the motion. There were no other nominations. The vote for Commissioner Troyer to serve as Commission Secretary was unanimous.

OLD BUSINESS

New Candidate Screening

Sergeant Watson reported that there were more than 400 applications for the recent round of testing, with 168 indicating that they would take the physical agility and written exams. Of that number, 60 actually attended, 17 of whom failed the physical agility test and 6 of whom failed the written examination. Of the remaining 37, 31 submitted full applications, and 7 of those were selected by Commissioners Corrigan and Troyer and Sergeant Watson for background checks. Five background checks have been completed by the Detective Division. When those are ready, the Police Review Board will conduct its interviews, before forwarding information along to the Police Merit Commission for interviews. Those will probably occur in mid-February. The date for the interviews will be scheduled at the February 14 meeting.

Counsel Brooks reviewed the items the Commission will receive from Sergeant Watson before the Commission's interviews. Commission President Leverenz asked if the score sheet revision had been completed. Sergeant Watson answered that Captain Leroux has revised it.

There was discussion as to whether additional people would start through the background check process at this time. Commission President Leverenz read from the *PMC Rules and Regulations*, "applicants who pass the aptitude and agility tests shall be given a truth verification or equivalent test, which shall be administered by a qualified examiner.... If the applicant

passes the truth verification process, the Commission shall be given a copy of the application, test results, and truth verification results for the applicants. The Commission shall then determine which applicants are to proceed with the background investigation and interviews." There was discussion about changing the *Rules*, so that the steps are clear and follow a logical process, and applicants know what to expect. Counsel Brooks will make recommendation of changes at the next meeting.

#### Detective Ray's Retirement

Commissioner Kirkpatrick asked if, since Detective Ray is retiring, the new hire would be a detective. Counsel Brooks responded that the Commission hires new probationary officers, and that it is the Department who determines work assignments. Commissioner Corrigan restated that the Commission does not hire to a position or a rank. Counsel Brooks stated that Sergeant, Lieutenant, and Captain are the only ranks over which the Commission has control.

Police Chief Dombkowski distributed Detective Ray's retirement letter, noting the retirement will be effective January 19. The Commission will be invited to Detective Ray's retirement luncheon, which will be held on January 19. Post-retirement, Detective Ray will work for the Neighborhood Resource Team in Code Enforcement.

#### NEW BUSINESS:

##### Officer Biddle

Police Chief Dombkowski stated that last summer the Board of Works adopted a Lateral Entry Program [WLPD *Standard Operating Procedure Manual (SOP)*, Section II Administration, Department Policy #2.23 Police Officer Lateral Entry Program], and he distributed copies of the policy to the Commission. Officer Nathan Biddle is the first officer to qualify under that policy, because he served four years with the City of Crawfordsville Police Department. Officer Biddle started on October 11, 2010, and he has completed the field-training program and was released for solo patrol duties on December 26, 2010. Police Chief Dombkowski requested that the Commission approve Officer Biddle as a permanent member of the Department.

Commission President Leverenz clarified that the effect of the Commission approval would be to shorten Officer Biddle's probation, that he would no longer be on probation, and would be a permanent member of the department. Chief Dombkowski confirmed that statement.

Commissioner Corrigan stated that West Lafayette has not had this situation before. The Chief confirmed that, noting the West Lafayette was the only agency in the area that did not have a lateral entry program.

Counsel Brooks clarified that the purpose of the probationary status is so that the Department could dismiss an officer without a hearing. The statute notes that, "all appointments are probationary, for a period not to exceed one year," but the Commission's *Rules* indicate that the probationary period is one year. Commissioner Kirkpatrick suggested there be a new category, probationary lateral hires. Commission President Leverenz offered that the PMC *Rules* could be changed to be consistent with State statute, "not to exceed one year."

Commissioner Troyer moved to move Officer Biddle from probation and to a regular officer status. Commissioner Kirkpatrick seconded the motion. After discussion, Commissioner Kirkpatrick withdrew her second, and Commissioner Troyer withdrew his motion.

Counsel Brooks will have changes to the *Rules and Regulations* at the February meeting. It was noted that the *Rules* change would take him off probationary status. Police Chief Dombkowski requested that Officer Biddle's rank correspond with his status. Officer Biddle is being paid as a First Class Officer, which is not normally done for probationary officers. Counsel Brooks said that that does not affect the Merit Commission. Commissioner Kirkpatrick

restated her belief that there should be a *Rules* change to create a separate category for lateral hires, so that the problem does not arise again. Counsel Brooks suggested that the *Rules* change be to follow State statute, that the probationary status does not exceed one year, with a provision that, if the Chief requests that the Merit Commission remove an individual from probationary status prior to the one year, the Commission could vote on that. Commissioner Kirkpatrick argued that, if it is not to exceed one year, then the Chief does not have to come to the Commission. Counsel Brooks clarified that, if the Chief wants to move someone from probationary status before one year, he would have to make a request to the Commission, because only the Commission has the authority to remove someone from probationary status before a year, if the Commission approves the *Rules* change. Commissioner Troyer stated that the Commission's *Rules* should be compliant with the Department's *Standard Operating Procedures*. Counsel Brooks countered that the *Standard Operating Procedure* was written after the *Rules* were written. Commissioner Kirkpatrick stated that the *Rules* change would make the PMC *Rules* consistent with State statute. Counsel Brooks agreed.

#### Chief's Report

Police Chief Dombkowski distributed copies of his monthly report to the Council.

#### Rules Changes

Counsel Brooks stated that the *Rules* call for every police officer to have a copy of the PMC *Rules and Regulations* in their possession. In Lafayette, the Police Department is using digital files containing these documents. Police Chief Dombkowski stated that the *Rules* are on the website, so they are digital and open to the public. The *SOP* is now on disk. Sergeant Watson added that the *SOP* is now on the laptops in Police patrol vehicles. Chief Dombkowski said he thought having access to PMC *Rules and Regulations* in digital format would be useful.


Commission President Leverenz summarized that there are three *Rules* changes for the next meeting: In Article II, truth verification tests administered as directed by the Commission, and probationary period not to exceed one year; and in Article II, the format of the *Rules* may be in print or electronic formats, which each member shall have access to.

#### NEXT MEETING

February 14, 2011, at 7:00 p.m.

#### ADJOURNMENT

Commissioner Corrigan moved to adjourn the meeting. The motion was seconded by Commissioner Troyer. Commission President Leverenz adjourned the meeting, the time being 8:07 p.m.

  
Larry Leverenz  
President

  
Bob Troyer  
Secretary